

**DURHAM, NORTH CAROLINA  
MONDAY, OCTOBER 7, 2002  
7:00 P.M.**

The Durham City Council met in regular session on the above date and time in the Council Chambers at City Hall with the following members present: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Absent: None.

Also present: City Manager Marcia L. Conner, City Attorney Henry Blinder, City Clerk D. Ann Gray and Deputy City Clerk Linda Bratcher.

Mayor Bell called the meeting to order with the Pledge of Allegiance and at that time, he recognized Takafumi Murakami and Satoshi Noda from Toyama, Japan.

The Mayor presented Richard LeSesne of the Cable TV Advisory Board with a Certificate of Service.

Mayor Bell read the following proclamations: Disability Awareness Month, Domestic Violence Awareness Month and Fire Prevention Week [October 6-11, 2002].

Council Member Clement recognized Boy Scout Troop 451 from Westminster Presbyterian Church.

Mayor Bell asked for priority items from the City Manager, City Attorney and City Clerk.

City Manager Conner requested that the following items be added to the agenda: 1) major reductions to projected property tax revenue FY 2002-03 budget; 2) rental payment on behalf of NECD; 3) 2002 legislative update; and 4) budget add-backs and local option sales tax.

Also, she requested that GBA Items #24 [Amendments to the Compensation and Classification Plan] and #38 [Conveyance of Proposed Easement to Duke Power Company within Closed Portion of Roney Street-Street Closing Case #SC01-3] be held for one cycle and that there be a closed session after the meeting to discuss an attorney-client consultation pursuant to G.S. 143-318.11(a)(3) and an attorney-client consultation in the matter of a foreclosure of a deed of trust executed by Southeast Durham Development Corporation, Inc. to the City of Durham pursuant to G.S. 143-318.11(a)(3).

There were no priority items from the City Attorney and City Clerk.

Mayor Bell asked if any citizen(s) or council member(s) wanted to pull any items from the Consent Agenda. The following items were pulled from the Consent Agenda: #27 [Acquisition of property for the Barnes Avenue Area Plan]; #28 [Resolution for the Acquisition of property for the Barnes Avenue initiative]; #30 [Professional services

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contracts for City Hall renovations]; #32 [Bus purchase]; #34 [D.A.T.A. operations center] and #46 [Designating Acting City Manager in the absence of the City Manager].

**MOTION** by Mayor Pro Tempore Cheek seconded by Council Member Stith to approve the Consent Agenda as amended was approved at 7:30 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

**[CONSENT AGENDA]**

**SUBJECT: APPROVAL OF CITY COUNCIL MINUTES – CITY CLERK’S OFFICE**

**MOTION** by Mayor Pro Tempore Cheek seconded by Council Member Stith to approve the City Council Minutes for the following meetings was approved at 7:30 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

August 26, 2002 – Special Meeting  
September 3, 2002 – Regular Meeting

**SUBJECT: RESOLUTION MEMORIALIZING BESSIE T. JAMES**

**MOTION** by Mayor Pro Tempore Cheek seconded by Council Member Stith to adopt a Resolution Memorializing Bessie T. James was approved at 7:30 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

**Resolution #8912**

**SUBJECT: DURHAM BICYCLE & PEDESTRIAN ADVISORY COMMISSION – APPOINTMENTS**

**MOTION** by Mayor Pro Tempore Cheek seconded by Council Member Stith to reappoint Paul D. Naylor and to appoint Aaron Cain to the Durham Bicycle & Pedestrian Advisory Commission--terms expiring July 31, 2005 was approved at 7:30 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

**SUBJECT: DURHAM HOUSING AUTHORITY – RECEIPT AND ACCEPTANCE OF APPLICATIONS**

**MOTION** by Mayor Pro Tempore Cheek seconded by Council Member Stith to receive and accept applications for a citizen to fill one (1) vacancy. The term will expire

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September 8, 2007 was approved at 7:30 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

**SUBJECT: DURHAM CITY-COUNTY APPEARANCE COMMISSION - APPOINTMENT**

**MOTION** by Mayor Pro Tempore Cheek seconded by Council Member Stith to appoint Gary Barnell Harrison to the Durham City-County Appearance Commission--term expiring April 1, 2005 was approved at 7:30 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

**SUBJECT: ENVIRONMENTAL AFFAIRS BOARD - APPOINTMENT**

**MOTION** by Mayor Pro Tempore Cheek seconded by Council Member Stith to appoint Ahrash N. Bissell to the Environmental Affairs Board representing Biological Science--term expiring June 1, 2005 was approved at 7:30 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

**SUBJECT: DURHAM PLANNING COMMISSION – RECEIPT AND ACCEPTANCE OF APPLICATIONS**

**MOTION** by Mayor Pro Tempore Cheek seconded by Council Member Stith to receive and accept applications to fill one (1) vacancy to represent District 4. The term will expire June 30, 2003 was approved at 7:30 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

**SUBJECT: 2003 LEGISLATIVE PROGRAM**

**MOTION** by Mayor Pro Tempore Cheek seconded by Council Member Stith to receive a report from the City Attorney concerning the 2003 Legislative Program; and

To approve the 2003 Legislative Program Calendar and the 2003 Legislative Program Areas of Responsibility was approved at 7:30 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

**SUBJECT: AMENDMENT TO LOAN AND NON-CITY AGENCY REVIEW CONTRACT - DELOITTE AND TOUCHE, LLP**

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**MOTION** by Mayor Pro Tempore Cheek seconded by Council Member Stith to authorize the City Manager to amend the contract with Deloitte and Touche, LLP to perform agreed upon procedures for the review of the City's loan portfolio and non-city agency grants to increase the total contract from \$200,000 by \$24,888 for a total amount of \$224,888 was approved at 7:30 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

**SUBJECT:     RESPONSE TO COUNCIL INQUIRY ON AUTO INSURANCE**

**MOTION** by Mayor Pro Tempore Cheek seconded by Council Member Stith to receive a report from the Administration regarding the cost of auto insurance was approved at 7:30 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

**SUBJECT:     DUKE STREET PARKING**

- 1) **MOTION** by Mayor Pro Tempore Cheek seconded by Council Member Stith to adopt an ordinance repealing the following ordinances was approved at 7:30 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.
  - a) Ordinance #5036, adopted December 4, 1978, establishing 30-minute parking on election days on the west side of Duke Street between the hours of 6:30 a.m. and 7:30 p.m. in the area beginning at a point 145 feet south of the south curb line of Corporation Street, if extended, and extending from that point northwardly to Minerva Avenue;
  - b) Ordinance #5089, adopted February 5, 1979, establishing a loading and unloading zone on the west side of Duke Street between the hours of 7:00 a.m. and 6:00 p.m., except Sundays and holidays, in the area beginning at a point 250 feet north of the north curb line of Corporation Street, if extended, and extending from that point northwardly for a distance of 66 feet;
  - c) Ordinance #5090, adopted February 5, 1979, prohibiting parking on the west side of Duke Street between the hours of 7:00 a.m. and 6:00 p.m. in the area beginning at a point 175 feet north of the north curb line of Morgan Street, if extended, and extending from that point northwardly for a distance of 950 feet;
  - d) Ordinance #5091, adopted February 5, 1979, prohibiting parking on the west side of Duke Street between the hours of 7:00 a.m. and 6:00 p.m. in the area beginning at a point at the south curb line of Minerva Avenue, if extended, and extending from that point southwardly for a distance of 475 feet.

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**Ordinance #12665**

- 2) **MOTION** by Mayor Pro Tempore Cheek seconded by Council Member Stith to adopt an ordinance prohibiting stopping, standing, and parking on the west side of Duke Street in the area beginning at the north curb line of Morgan Street, if extended, and extending to the south curb line of Minerva Avenue was approved at 7:30 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

**Ordinance #12666**

**SUBJECT: ONE-WAY AND PARKING ORDINANCES – LAMBETH CIRCLE  
– LOUISE CIRCLE**

**MOTION** by Mayor Pro Tempore Cheek seconded by Council Member Stith to adopt an ordinance rescinding the following ordinances; and

- a) Ordinance #10477, adopted June 5, 1995, which authorized controlled residential parking on Lambeth Circle,
- b) Ordinance #1538, adopted August 5, 1956, which authorized Lambeth Circle and Louise Circle to be converted to one-way streets.

To adopt an ordinance prohibiting parking at the following location: On east and west sides of Lambeth Circle from Erwin Road to Louise Circle; and

To adopt an ordinance establishing a one-way street for the following location: Louise Circle beginning at Brown Avenue and extending counter-clockwise to Brown Avenue was approved at 7:30 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

**Ordinance #12667 – 12668 - 12669**

**SUBJECT: STOP SIGNS - RICH SAND STREET - MARTRY ROAD -  
LEAPALE LANE - SYDENHAM ROAD - RIDGEWOOD STREET –  
KIRBY STREET – ROCKFORD ROAD**

**MOTION** by Mayor Pro Tempore Cheek seconded by Council Member Stith to adopt an ordinance to authorize the installation of stop signs at the following locations was approved at 7:30 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

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- (a) Richsand Street at Colewood Drive, southwest corner;
- (b) Martry Road at Herndon Road, northeast corner (Oakhurst Subdivision);
- (c) Martry Road at Leapale Lane, northwest corner (Oakhurst Subdivision);
- (d) Leapale Lane at Cheselden Drive, northwest and southeast corners (Oakhurst Subdivision);
- (e) Sydenham Road at Herndon Road, northeast corner (Oakhurst Subdivision);
- (f) Ridgewood Street at Kirby Street, southwest corner (Emorywood Orchards Subdivision);
- (g) Ridgewood Street at Rockford Road, northeast corner (Emorywood Orchards Subdivision);
- (h) Kirby Street at Rockford Road, northeast corner (Emorywood Orchards Subdivision); and
- (i) Rockford Road at Lansing Avenue, northwest corner (Emorywood Orchards Subdivision)

**Ordinance #12670**

**SUBJECT: WATER EXTENSION AGREEMENT WITH TICON, INC. - NC 55/SEDWICK PROPERTY**

**MOTION** by Mayor Pro Tempore Cheek seconded by Council Member Stith to authorize the City Manager to enter into a water extension agreement with Ticon, Inc. to serve NC 55/Sedwick Property was approved at 7:30 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

**SUBJECT: COUNTRY CLUB HEIGHTS, AMENDMENT #1 – WATER AND SEWER EXTENSION AGREEMENT**

**MOTION** by Mayor Pro Tempore Cheek seconded by Council Member Stith to authorize the City Manager to enter into an amendment to an existing water and sewer extension agreement with County Club Heights, to serve Country Club Heights was approved at 7:30 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

**SUBJECT: WATER AND SEWER EXTENSION AGREEMENT – HEBRON ROAD SUBDIVISION - ROSA BELVIN PROPERTIES, LLC**

**MOTION** by Mayor Pro Tempore Cheek seconded by Council Member Stith to authorize the City Manager to enter into a water and sewer extension agreement with Rosa Belvin Properties, LLC was approved at 7:30 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

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**SUBJECT: WATER AND SEWER EXTENSION AGREEMENT – ENO FOREST SUBDIVISION - THE MASON COMPANY**

**MOTION** by Mayor Pro Tempore Cheek seconded by Council Member Stith to authorize the City Manager to enter into a water and sewer extension agreement with The Mason Company to serve Eno Forest Subdivision was approved at 7:30 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

**SUBJECT: VULNERABILITY ASSESSMENT FOR DRINKING WATER FACILITIES - CAMP DRESSER & MCKEE**

**MOTION** by Mayor Pro Tempore Cheek seconded by Council Member Stith to authorize the City Manager to execute a contract with Camp Dresser & McKee in the amount of \$115,000, which includes \$109,700 for basic engineering services and \$5,300 for contingency, to complete the vulnerability assessment of the City's drinking water facilities; and

To authorize the City Manager to modify the contract before execution provided the modifications do not increase the dollar amount of the contract and are consistent with the general intent of the version of the contract approved by City Council was approved at 7:30 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

**SUBJECT: CHANGES TO WORKERS' COMPENSATION CLAIMS ADJUSTING CONTRACT - CORPORATE CLAIMS AND ADJUSTING, LTD.**

**MOTION** by Mayor Pro Tempore Cheek seconded by Council Member Stith to authorize the City Manager to amend the contract with Corporate Claims and Adjusting, Ltd. to

- a) pay up to \$288,000 for claims service for the period of November 1, 2001-2002; and
- b) adopt a flat fee-pricing proposal in an amount not to exceed \$267,993 for the period of November 1, 2002-2003 and not to exceed \$247,993 for the period of November 1, 2003-2004 was approved at 7:30 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

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**SUBJECT: DURHAM-CHAPEL HILL JOINT PLANNING REVIEW  
AGREEMENT – DURHAM COUNTY – CITY OF DURHAM –  
TOWN OF CHAPEL HILL**

**MOTION** by Mayor Pro Tempore Cheek seconded by Council Member Stith to adopt a “Resolution Establishing The intent of Durham County, Durham City and the Town of Chapel Hill to Cooperate with Regard to Planning Decisions in Certain Defined Areas” was approved at 7:30 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

**Resolution #8913**

**SUBJECT: PROPOSED AMENDMENT TO LEASE AGREEMENT BETWEEN  
THE CITY OF DURHAM AND BELL SOUTH PERSONAL  
COMMUNICATIONS, LLC, D/B/A CINGULAR WIRELESS –  
EAST DURHAM WATER STORAGE TANK**

**MOTION** by Mayor Pro Tempore Cheek seconded by Council Member Stith to authorize the City Manager to execute an amendment to a lease agreement between the City of Durham and BellSouth Personal Communications, LLC, d/b/a Cingular Wireless, for the installation of additional cellular antennas on top of the East Durham Water Storage Tank was approved at 7:30 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

**SUBJECT: USE OF CONTROLLED SUBSTANCE TAX OR FEDERAL  
FORFEITURE ASSET FUNDS**

**MOTION** by Mayor Pro Tempore Cheek seconded by Council Member Stith to authorize the use of Controlled Substance Abuse Funds or Federal Asset Funds in an amount not to exceed \$100,954 to enhance daily police Operations was approved at 7:30 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

**SUBJECT: MULTI-MODAL DESIGN PRESENTATION**

This item was removed from the agenda at the 9-26-02 Work Session.

**SUBJECT: ORGANIZATIONAL CLIMATE SURVEY**

**MOTION** by Mayor Pro Tempore Cheek seconded by Council Member Stith to hear a presentation regarding the findings of the organizational climate survey was approved at



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7:30 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

**SUBJECT: POLICE MATTER – DAN HILL**

This item was a Citizen's Matter regarding a regional Police effort to control crime. This matter has been referred to the Administration to coordinate a regional Police summit.

**SUBJECT: STEVE HILTNER – CITIZEN'S MATTER**

This was a Citizen's Matter regarding the historic Glenn-Veasey house. This matter has been referred to the Administration to research options.

**SUBJECT: VOLUNTARY ANNEXATION PETITIONS - SUBMITTED PRIOR TO JULY 1, 2002 - SWANN MILL SUBDIVISION**

**MOTION** by Mayor Pro Tempore Cheek seconded by Council Member Stith to receive a report from the Administration on the voluntary annexation petitions; and

To accept the City Clerk's certification of 100% ownership as required by N.C. General Statutes 160A-58 and 160A-31; and

To adopt a resolution establishing a public hearing for October 21, 2002 on the following submitted voluntary petition annexation: Swann Mill Subdivision was approved at 7:30 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

**Resolution #8914**

**SUBJECT: HUD COOPERATIVE AGREEMENT/ASSISTANCE AWARD AMENDMENTS – U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**

**MOTION** by Mayor Pro Tempore Cheek seconded by Council Member Stith to ratify the City Manager's execution of the HUD Cooperative Agreement and all amendments that enable the Human Relations Department/Commission to carry out their fair housing related functions was approved at 7:30 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

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**SUBJECT: ACQUISITION FOR THE REALIGNMENT OF CORCORAN STREET - RONNIE STURDIVANT AND DIANE STURDIVANT – 200 NORTH CORCORAN STREET**

**MOTION** by Mayor Pro Tempore Cheek seconded by Council Member Stith to approve the acquisition of approximately 0.44 acres of property located at 200 North Corcoran Street, Tax Map 030003-001, PIN 0000-00-00-0000, property of Ronnie Sturdivant and wife, Diane Sturdivant for \$300,000, and accept the use of a portion of Mr. Sturdivant's parking garage at no cost to the City for a bus shelter; and

To authorize the City Manager to execute an agreement for use of a portion of the parking garage for a bus shelter, so long as the agreement is consistent with this agenda item memorandum was approved at 7:30 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

**SUBJECT: EMERGENCY MANAGEMENT MUTUAL AID AND ASSISTANCE AGREEMENT – NORTH CAROLINA DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY AND ITS DIVISION OF EMERGENCY MANAGEMENT OF THE STATE OF NORTH CAROLINA**

**MOTION** by Mayor Pro Tempore Cheek seconded by Council Member Stith to authorize the City Manager to execute the North Carolina Statewide Mutual Aid Agreement was approved at 7:30 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

**[ITEMS PULLED FROM CONSENT AGENDA]**

**SUBJECT: ACQUISITION OF PROPERTY FOR THE BARNES AVENUE AREA PLAN - BARN DOOR PROPERTIES, INC. [514, 516, 526, 527, 529, 531, 533, 535 AND 601 BARNES AVENUE]] - AMERICAN HOUSING COUNCIL, INC. [532 BARNES AVENUE] - DUNCAN JEFFERSON AND WIFE, LYNNE JEFFERSON [511 BARNES AVENUE]- SAMUEL W. GOSS SR. AND WIFE, DELORES S. GOSS [517 AND 523 BARNES AVENUE]**

Council Member Best expressed a concern with this item noting some of the houses are not worth \$70,000.

Council held discussion on the liability/lien issue, Barn Door properties, value of properties, condition of rental properties and funding source.

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Charlene Montford, Director of Housing & Community Development, noted the Barnes Avenue project will cost between \$8 and \$9 million and noted there is no way to avoid using Bond money for the project.

Mayor Bell requested the administration to come back with information concerning a timetable [for buying properties/negotiating with the developer]; details on the progress of the project and cash flow [how money will be spent and source of funding].

**MOTION** by Council Member Clement seconded by Mayor Pro Tempore Cheek to approve the following acquisitions totaling \$795,950; appropriate \$545,700 of HOME and CDBG funds towards the purchase price and approximately \$270,300 of Housing Bond funds to cover the balance of the purchase price and related closing costs was approved at 7:50 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Clement, Cole-McFadden, Edwards and Stith. Noes: Council Member Best. Absent: None.

- (1) from Barn Door Properties, Inc. (514 Barnes Avenue for \$56,600; 516 Barnes Avenue for \$37,100; 526 Barnes Avenue for \$69,900; 527 Barnes Avenue for \$66,000; 529 Barnes Avenue for \$73,700; 531 Barnes Avenue for \$72,400; 533 Barnes Avenue for \$71,000; 535 Barnes Avenue for \$64,900; and 601 Barnes Avenue for \$74,800);
- (2) from American Housing Council, Inc. 532 Barnes Avenue for \$43,050;
- (3) from Duncan Jefferson and wife, Lynne Jefferson 511 Barnes Avenue for \$48,000; and
- (4) from Samuel W. Goss Sr. and wife, Delores S. Goss (517 Barnes Avenue for \$60,800 and 523 Barnes Avenue for \$57,700).

**SUBJECT: RESOLUTION FOR THE ACQUISITION OF PROPERTY FOR THE BARNES AVENUE INITIATIVE**

Council Member Best raised a concern about the increase in the amount the City Manager is authorized to approve.

City Manager Conner noted monthly updates will be provided to Council on the acquisitions.

A motion was made by Council Member Best seconded by Council Member Stith to change the amount from \$100,000 to \$75,000.

Council held discussion on the tax/appraised value and condemnation.

City Manager Conner noted the administration would use the appraised/assessed value and if there should be an exception, the administration would come back to Council.

Council Member Stith withdrew his second to the motion; therefore, the motion dies for a lack of a second.

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**MOTION** by Council Member Best seconded by Council Member Clement to approve a resolution authorizing the City Manager to acquire real property for the Barnes Avenue Initiative, provided the purchase price of the property does not exceed **\$100,000** and complies with all applicable conditions of the resolution was approved at 7:50 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Clement, Cole-McFadden, Edwards and Stith. Noes: Council Member Best. Absent: None.

**Resolution #8915**

**SUBJECT: PROFESSIONAL SERVICES CONTRACTS FOR CITY HALL RENOVATIONS - NEW SYNERGY, INC. - G.H. WILLIAMS COLLABORATIVE**

To authorize the City Manager to execute a contract with the New Synergy, Inc. to provide Architectural Services for the City Hall Building Renovations, in an amount not to exceed \$63,240; and

To authorize the City Manager to make changes to the contract before executing it if the changes do not increase the dollar amount of the contract, and do not decrease the goods and services to be provided to the City; and

To authorize the City Manager to execute a contract with the G.H. Williams Collaborative to provide Architectural Services for the City Hall Building Renovations, in an amount not to exceed \$88,800; and

To authorize the City Manager to make changes to the contract before executing it if the changes do not increase the dollar amount of the contract, and do not decrease the goods and services to be provided to the City.

Council held discussion on the COPs, debt service, if this is necessary at this time due to budget constraints and renovations [2<sup>nd</sup> Floor/Council Chambers].

Council Member Cole-McFadden spoke in support of moving forward with this item.

Council held discussion on the architectural service and scaling back the project.

City Manager Conner noted the administration could come back with designs and cost estimates.

Council held discussion doing the work internally and the deadline for spending funds.

City Manager Conner noted because these COPs have been issued, Council has until August 2003 when the City has to pay a penalty on these funds.

Mayor Bell requested the administration to report back with the deadline for the expenditure of COPs, when would the City have to make a commitment to move forward

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with the expenditure, what would be the cost to the City if nothing is done and the alternative of spending less.

Council Member Cole-McFadden expressed health concerns on the second floor.

**MOTION** by Council Member Clement seconded by Council Member Stith to refer this item to the administration to review and make a recommendation on when it would be feasible to perform the renovations was approved at 8:22 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

**SUBJECT: BUS PURCHASE - GILLIG CORPORATION**

To adopt Alternative A and to authorize the City Manager to accept and execute the grant agreements solicited for the purchase of 32 replacement buses; and

To authorize the City Manager to issue a purchase order to the Gillig Corporation in an amount not to exceed \$9,432,637 for the purchase of 31, 40' low floor heavy duty buses and related training in accordance with the terms, conditions and specifications contained in the solicitation and approved equal documents, and in accordance with the bid submission of the Gillig Corporation, all as more specifically described within Alternative A.; and

To adopt "An Ordinance Amending the 2002-2003 City of Durham Budget Ordinance, the Same Being Ordinance 12575"; and

To adopt the grant project ordinance in the total amount of \$9,600,000 contingent upon award, acceptance and execution of the grant agreements solicited for the purchase of 32 replacement buses.

Mayor Bell asked the administration to contact vendor to make sure that they maximize the effort to ensure that minority vendors provide parts for the buses.

Council held discussion on funding source, minority participation and deferring this item to the October 21, 2002 City Council Meeting.

**Note: Further discussion was held on this item later in the meeting.**

**SUBJECT: D.A.T.A. OPERATIONS CENTER**

Rev. Curtis Gatewood, representing Durham NAACP, made comments about a letter that he sent to the City Manager noting there are no restrooms in the main bus depot. Rev. Gatewood urged Council to work on placing restrooms at the bus depot and recommended that there be a port-a-john in the meantime.

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City Manager Conner noted the administration is working on interim solutions concerning this issue and will bring back options to the October 10, 2002 City Council Work Session.

Mayor Bell expressed a concern about the port-a-john.

**MOTION** by Mayor Pro Tempore Cheek seconded by Council Member Clement to receive a presentation from the Administration regarding the D.A.T.A. Operations Center was approved at 8:36 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

**SUBJECT: DESIGNATING ACTING CITY MANAGER IN THE ABSENCE OF THE CITY MANAGER**

Victoria Peterson raised a concern about this item.

**MOTION** by Mayor Pro Tempore Cheek seconded by Council Member Stith to adopt a "Resolution Designating Acting City Manager in the Absence of the City Manager was approved at 8:39 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

**Resolution #8916**

**[ITEMS ADDED TO THE AGENDA]**

**SUBJECT: MAJOR REDUCTIONS TO PROJECTED TAX REVENUE  
IN THE FY 2002-03 BUDGET – DURHAM COUNTY**

City Manager Conner noted that Durham County disclosed that the estimated assessed values of property provided to the City for budget projections were incorrect [see memo dated October 7, 2002].

City Manager Conner stated she would be providing the City Council with options at the Work Session on October 10, 2002 to offset the \$3.2 million tax revenue deficit.

Council Member Stith made comments about the tax collection agreement and expressed a concern about the low collection rate.

Acting Finance Director Ken Pennoyer noted a proposal will come to Council in a couple of months [December] regarding the issue of in-house tax collection.

Council held discussion on the projected assessed values.

**October 7, 2002**

Mayor Bell asked the administration to report back on the status of the budget [how the City is going to make up for the deficit].

No Action was taken by the City Council.

**SUBJECT: NORTHEAST CENTRAL DURHAM REINVESTMENT, INC.  
(NECD) - RENTAL PAYMENT**

To authorize the City Manager to pay \$6,240 to Mr. Benjamin Naderi for rent through September 2002.

City Manager Conner updated Council on the rental payment on behalf of Northeast Central Durham (NECD) Reinvestment, Inc.

Council held discussion on the lease.

Julie Brenman, Budget Director, noted there has not been a lease since 1997.

Mayor Pro Tempore Cheek spoke in opposition to making any payment to NECD Reinvestment, Inc. and spoke in favor of turning materials [invoices to Southern Coach Company] over to the District Attorney's Office for investigation.

Anita Hammond, of 2801 Shoreham Street, urged Council to amend NECD Reinvestment, Inc., but do not end it.

Larry Hester, of 3526 Abercromby Drive, spoke in support of NECD.

Joy Cox, of 3814 Fayetteville Street, spoke in support of NECD and gave an overview of documentation provided to Council for NECD.

Bruce Bechard, representing Southern Coach, made comments on this item.

Attorney Sam Roberti, representing Techno Compex, noted the amount due to Mr. Naderi is \$19,813.05 for rent and utilities. He noted building was not rented to Jackie Wagstaff but to the City of Durham, there was no lease and commented on the price per square footage, utilities, insurance and lease. Attorney Roberti asked the City to do the right thing regarding the landlord.

Council Member Edwards asked the administration why no lease was provided to Mr. Naderi.

Betty Pittard, of the Real Estate Office, stated that there have been meetings with Mr. Naderi informing him the City could not enter into a lease agreement until the building is brought up to code. Also, she noted Mr. Naderi has done a lot of work in the building but contractors had not called for any inspections.

**October 7, 2002**

Discussion was held on the outreach services, Weed & Seed program, NECD and audit.

Mayor Bell noted he raised questions with the City Manager concerning the audit for NECD [why he signed the contract, cost--\$12,000 for 2-year period and should the City proceed with the audit in light of the issue surrounding the invoices and what would be the cost if the City did not continue the audit].

Council Member Stith noted before Council moves forward with any expenditure, he requested the administration to provide information on where we are and what has happen regarding NECD.

Several Council Members spoke in favor of not spending any more money on the audit.

City Attorney Blinder briefed Council noting the City does not establish 501C-3.

Council Member Cole-McFadden spoke in support of moving forward with the audit due to a request from the residents of the area.

A motion was made by Council Member Stith to suspend any additional funding for NECD Reinvestment, Inc. [501C-3]

Mayor Pro Tempore Cheek made a friendly amendment to the motion to suspend the audit at this time.

Council Member Stith accepted the friendly amendment with the understanding it does not preclude continuation of the audit at a later date.

City Manager Conner stated that the City received an invoice for approximately \$5,600 in terms of time worked on the audit. She noted the firm has been working on the audit since August 30, they were contacted to put the work on hold due to questions raised and are waiting for the City to make the determination whether to end or move forward with the contract.

Audit Services Director Wanda Page discussed the two engagements going on noting that the City and non-profit are being audited for two years and the fee covers all four audits/reports. Also, she noted there are no reports at this point and the auditors have been in the City reviewing records.

**MOTION** by Council Member Stith seconded by Council Member Edwards to suspend any additional funding for NECD Reinvestment, Inc. [501C-3] and to decide what is the most prudent way to move forward [reviewing the organization; discussion on the continuation of the audit; develop work plan on how to proceed with funding or non-funding of NECD Reinvestment, Inc.]; and to suspend the audit at this time (with the understanding the suspension of the audit does not preclude continuation of the audit at a later date) was approved at 9:46 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Edwards and Stith. Noes: Council Member Cole-McFadden. Absent: None.



**October 7, 2002**

**SUBJECT: 2002 LEGISLATIVE UPDATE**

To receive an update on the status of the City of Durham's 2002 legislative agenda.

Kristen Crosson updated Council on the status of the City of Durham's 2002 legislative agenda. No action was taken by the City Council.

Council Member Clement asked the administration if the issue of the levying an automobile registration fee above \$5 to support DATA operations was a part of the legislative package.

Kristen Crosson noted this issue was not on the 2002 legislative agenda.

City Attorney Blinder noted this issue was not on the short session agenda and will provide an update at the October 10, 2002 Work Session.

**SUBJECT: UPDATE ON BUDGET ADD-BACKS AND LOCAL OPTION SALES TAX**

Kristen Cross updated Council on the one-half cent sales tax stating the City should expect to receive \$1.7 million. She also noted the memo dated October 3 highlights unfunded projects, maintenance initiatives, and pay as you go projects. No action was taken by the City Council.

**[GENERAL BUSINESS AGENDA]**

**SUBJECT: MAJOR SITE PLAN - COLE MILL PLACE APARTMENTS AND OFFICE (D01-730)**

To approve a reduction in the required landscaped buffer on the north side of the site, to allow it to be reduced from 20 feet to 10 feet, with the addition of a 6 foot tall solid wood fence and oversized landscaping materials; and

To approve a site plan with a landscape buffer reduction for an 11-unit apartment building with 500 square feet of office space and 24 parking spaces at the northwest corner of Cole Mill Road and East Oak Drive.

Dick Hails, of the City/County Planning Department, briefed Council on the staff report noting the applicant is requesting a buffer reduction. He noted site plan meets the ordinance requirement and is in conformance with all adopted plans; therefore, staff's recommendation is for approval. He noted if Council rejects the reduced buffer, staff recommends that the site plan be referred back to the administration for further consideration.

Mayor Pro Tempore Cheek asked the administration if the zoning is already in place.

**October 7, 2002**

Dick Hails, of the City/County Planning Department. replied yes.

Council held discussion on zoning, site plan, buffer and fence.

Robert Haywood, owner/ developer, spoke in support of this item making comments about the proposed development [apartment building] and buffer. He urged Council to support plan.

Taylor Blakely, representing the Haywood Group, spoke in support of this item making comments about the buffer and fence.

L. C. Meachum, of Coles Pond Neighborhood Association, spoke in opposition to the site plan due to height, aesthetics and safety concerns.

Ramona Freshwater, representing Waterford Neighborhood Association, expressed concern about the 3-story building, office space and parking spaces to be built in the middle of single-family homes due to traffic. She urged Council to vote no.

Elizabeth Puckett spoke in opposition to this item due to density, value of property and streetscape issues. She asked the Council to deny the buffer reduction.

Ronald Sieber, representing Waterford Neighborhood Association, urged Council to not consider approving buffer due to safety concerns and requested that they be notified as a neighborhood if additional consideration is given to this property.

Council held discussion on present condition of property.

**MOTION** by Council Member Best seconded by Council Member Edwards to extend meeting beyond 10:00 p.m. was approved at 10:23 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

Council held discussion on proposed project and buffer reduction.

Mayor Pro Tempore Cheek asked the architect if he could do a layout of the same project with a 20 feet buffer as opposed to 10 feet and if the major site plan is rejected would they resubmit it that way.

Taylor Blakely, replied it could be adjusted to get the full buffer in the area. He stated that the developer does not have to put in a fence and the landscape would change.

**MOTION** by Council Member Best seconded by Council Member Clement to approve a reduction in the required landscaped buffer on the north side of the site, to allow it to be reduced from 20 feet to 10 feet, with the addition of a 6 foot tall solid wood fence and oversized landscaping materials; and

**October 7, 2002**

To approve a site plan with a landscape buffer reduction for an 11-unit apartment building with 500 square feet of office space and 24 parking spaces at the northwest corner of Cole Mill Road and East Oak Drive **FAILED** at 10:34 p.m. by the following vote: Ayes: Mayor Pro Tempore Cheek and Council Members Best and Clement. Noes: Mayor Bell and Council Members Cole-McFadden, Edwards and Stith. Absent: None.

**SUBJECT: WATER AND SEWER EXTENSION AGREEMENT - BENNINGTON SUBDIVISION - BEAZER HOMES CORPORATION**

**MOTION** by Council Member Stith seconded by Council Member Cole-McFadden to authorize the City Manager to enter into a water and sewer extension agreement with Beazer Homes Corporation to serve Bennington Subdivision was approved at 10:36 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

**SUBJECT: BEER & WINE LICENSES**

To approve Beer & Wine Licenses for the listed establishments.

Council Member Clement raised a concern about the number of licenses being issued and made a motion to reject approving beer & wine licenses for the listed establishments. [Motion dies for a lack of a second].

Council Member Stith requested that this item be added to the legislative agenda.

Council Member Cole-McFadden requested a GIS plotting of the locations of all the establishments.

Victoria Petersen spoke in opposition to this item urging Council to support a fee increase and to designate a task force.

**MOTION** by Mayor Pro Tempore Cheek seconded by Council Member Stith to approve Beer & Wine Licenses for the listed establishments was approved at 10:50 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Cole-McFadden, Edwards and Stith. Noes: Council Member Clement. Absent: None.

<u>Name</u>	<u>Address</u>	<u>Classification</u>	<u>New/Renewal</u>	<u>Fee Paid</u>	<u>Date of Application</u>
Academy Quick Stop	3006 Academy Rd	Convenience	Renewal	\$15.00	4/2/2002
Academy Quick Stop	3006 Academy Road	Convenience	Renewal	\$15.00	4/2/2002
Ali Saleh	1600 Holloway St	Convenience	Renewal	\$15.00	4/1/2002
Ankad Mini Mart	2929 Angier Avenue	Convenience	Renewal	\$15.00	4/11/2002

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Bekee Food Store & Grill	1302 Fay Street	Convenience	Renewal	\$5.00	4/19/2002
BP Convenience Center	2211 N. Roxboro Road	Convenience	Renewal	\$15.00	4/11/2002
Bull City Supermarket	1109 Main Street	Convenience	Renewal	\$15.00	4/11/2002
Buy Quick Food Mart #2	1204 Worth St	Convenience	Renewal	\$15.00	4/5/2002
Canal Street Grocery	508 Canal Street	Convenience	Renewal	\$15.00	4/9/2002
Caroco #1	702 N. Alston Avenue	Convenience	Renewal	\$15.00	4/11/2002
Caroco No. #1	702 N. Alston Avenue	Convenience	Renewal	\$15.00	4/11/2002
Charles Njuana	1313 S. Roxboro St.	Convenience	Renewal	\$15.00	6/11/2002
Circle K Store #8201	1103 S. Miami Blvd	Convenience	Renewal	\$15.00	4/9/2002
Circle K Store #8222	3801 N. Duke Street	Convenience	Renewal	\$15.00	4/9/2002
Circle K Stores #8627	100 Woodcroft Pkwy	Convenience	Renewal	\$15.00	4/9/2002
Community Store	106 S. Guthrie Ave	Convenience	Renewal	\$15.00	3/19/2002
Dahir Brothers Inc.	403 W. Trinity Ave	Convenience	Renewal	\$15.00	4/16/2002
Don Jose Records	2202 Avondale Drive	Convenience	Renewal	\$15.00	6/10/2002
Durham Food Mart	407 Old Oxford Hwy	Convenience	New	\$15.00	6/28/2002
Eagle Village Food Mart	3011 Fayetteville Street	Convenience	Renewal	\$15.00	5/21/2002
El Comparde	1700 Holloway Street	Convenience	Renewal	\$15.00	4/3/2002
El Comparde #2	2107 N. Roxboro Road	Convenience	Renewal	\$15.00	4/3/2002
Evans Mini Mart	2500 Fayetteville St.	Convenience	Renewal	\$15.00	5/1/2002
EZ Serve Convenience	7840 Leonard Drive	Convenience	Renewal	\$15.00	4/16/2002
Fast Fare NC 567	1001 S. Miami Blvd	Convenience	Renewal	\$15.00	5/1/2002
Fast Food Mart #2	2947 Chapel Hill Rd	Convenience	Renewal	\$15.00	4/5/2002
Fast Food Mart #3	2106 Broad Street	Convenience	Renewal	\$15.00	4/4/2002
Forest Hill BP Food	1251 University Drive	Convenience	Renewal	\$15.00	4/9/2002
Four Way Store	1313 S. Roxboro Street	Convenience	Renewal	\$30.00	3/25/2002
Handi Foods	1003 Fayetteville Street	Convenience	Renewal	\$15.00	4/17/2002
Hills Market #2	201 E. Geer Street	Convenience	Renewal	\$15.00	4/26/2002
Hills Open Air Market	712 S. Alston Avenue	Convenience	Renewal	\$15.00	4/26/2002
Holloway Service Store	1505 Holloway Street	Convenience	Renewal	\$15.00	4/16/2002
Humberto Cardenas	5023 Wake Forest Hwy	Convenience	Renewal	\$15.00	6/4/2002
In and Out Food Mart	911 Fayetteville Street	Convenience	Renewal	\$15.00	4/3/2002
Johnny's Food Land	4701 Hillsborough Rd	Convenience	Renewal	\$15.00	4/26/2002
Joy Foods #466	2109 Roxboro Road	Convenience	Renewal	\$15.00	4/12/2002
La Fondita	2000 Avondale Drive	Convenience	Renewal	\$15.00	4/9/2002
La Plaza Latina	3801 Wake Forest Hwy	Convenience	Renewal	\$15.00	7/10/2002
Lakewood Mini Mart	1925 Chapel Hill Rd	Convenience	Renewal	\$15.00	4/11/2002
Latin American Food	2502 Holloway Street	Convenience	Renewal	\$15.00	4/4/2002
Lighthouse Food Mart #104	5300 N. Roxboro St.	Convenience	Renewal	\$15.00	5/3/2002
M&M Mini Mart	2128 Angier Avenue	Convenience	Renewal	\$15.00	5/14/2002
M&M Mini Mart #2	614 Lakeland Street	Convenience	Renewal	\$15.00	4/4/2002
McDougald Terrace	832 Ridgeway Avenue	Convenience	Renewal	\$15.00	4/4/2002
Mike's Stop N Go	3446 Hillsborough Rd	Convenience	Renewal	\$15.00	4/23/2002
MM Fowler Inc	2406 Holloway Street	Convenience	Renewal	\$42.80	4/12/2002
MM Fowler Inc	2432 Erwin Road	Convenience	Renewal	\$62.67	4/12/2002
MM Fowler Inc	2918 Guess Road	Convenience	Renewal	\$35.37	4/12/2002
MM Fowler Inc	2685 Chapel Hill Blvd	Convenience	Renewal	\$16.50	4/12/2002

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MM Fowler Inc	1922 W. Main Street	Convenience	Renewal	\$68.94	4/12/2002
MM Fowler Inc	4148 Old Chapel Hill Rd	Convenience	Renewal	\$38.91	4/12/2002
MM Fowler Inc	5109 Guess Road	Convenience	Renewal	\$56.97	4/12/2002
MM Fowler Inc	1529 S. Miami Blvd	Convenience	Renewal	\$15.00	4/12/2002
MM Fowler Inc	1815 Hillandale Road	Convenience	Renewal	\$19.96	4/12/2002
MM Fowler Inc	3804 N. Duke Street	Convenience	Renewal	\$21.96	4/12/2002
MM Fowler Inc	5292 Roxboro Road	Convenience	Renewal	\$26.57	4/12/2002
MM Fowler Inc	3101 N. Roxboro Road	Convenience	Renewal	\$18.15	4/12/2002
MM Fowler Inc	5202 S. Miami Blvd	Convenience	Renewal	\$51.79	4/12/2002
MM Fowler Inc	2317 E NC Hwy 54	Convenience	Renewal	\$47.08	4/12/2002
MM Fowler Inc	3511 Hillsborough Rd	Convenience	Renewal	\$75.83	4/12/2002
MM Fowler Inc	801 Broad Street	Convenience	Renewal	\$24.15	4/12/2002
MM Fowler Inc	308 S. Alston Avenue	Convenience	Renewal	\$29.23	4/12/2002
MM Fowler Inc	4525 Chapel Hill Blvd	Convenience	Renewal	\$32.16	4/12/2002
Morehead Mini Mart	1601 Morehead Avenue	Convenience	Renewal	\$15.00	5/2/2002
New Evans Mini Mart	710 S. Alston Avenue	Convenience	Renewal	\$15.00	4/19/2002
Odai LLC	1907 Cheek Road	Convenience	Renewal	\$15.00	4/2/2002
One Hop Food Mart	370 Old Oxford Hwy	Convenience	Renewal	\$15.00	4/30/2002
One Hop Food Mart	2021 Guess Road	Convenience	Renewal	\$15.00	4/4/2002
Quick Mart	5021 Wake Forest Hwy	Convenience	Renewal	\$15.00	4/26/2002
R&W Stop-N-Shop	3210 Dearborn Drive	Convenience	Renewal	\$15.00	3/8/2002
Raja Ahmad	204 N. Hardee Street	Convenience	Renewal	\$15.00	4/23/2002
Rosemary Njeri Mwangi	1224 A Fayetteville St	Convenience	New	\$15.00	4/24/2002
Silah & Birah Inv	1109 E. Main Street	Convenience	Renewal	\$15.00	4/9/2002
Stop N Go	2526 Erwin Road	Convenience	Renewal	\$15.00	4/25/2002
Stop N Go	114 W. Enterpris Street	Convenience	Renewal	\$15.00	5/2/2002
Streeter & Mitchell Food Mart	3211 University Drive	Convenience	New	\$15.00	5/24/2002
Sunny Corp	1709 Glen School Rd	Convenience	Renewal	\$15.00	4/30/2002
TNT Convenient Mart	500 E. Main Street	Convenience	Renewal	\$15.00	4/2/2002
Tommy's Mini Mart	1832 Cole Mill Road	Convenience	Renewal	\$16.50	4/16/2002
Tommy's Mini Mart #10	1701 S. Miami Blvd	Convenience	Renewal	\$18.15	4/16/2002
Tommy's Mini Mart #3	1803 S. Miami Blvd	Convenience	Renewal	\$15.00	4/16/2002
Town & Country Food	1423 E. Club Blvd	Convenience	Renewal	\$15.00	4/19/2002
Town & Deli Grocery #2	1432 Lawson Street	Convenience	Renewal	\$15.00	5/2/2002
Town Deli Grocery #1	801 N. Alston Avenue	Convenience	Renewal	\$15.00	4/3/2002
Trubuy Convenience #21	106 Highway 54	Convenience	Renewal	\$15.00	4/12/2002
U Save Food Mart	1907 Cheek Road	Convenience	Renewal	\$15.00	4/2/2002
University Market	1108 W. Chapel Hill	Convenience	Renewal	\$15.00	4/11/2002
Walker's Grocery	1003 1/2 Morehead Ave	Convenience	Renewal	\$15.00	7/16/2202
William R. & Nancy Peace	5234 N. Roxboro Rd	Convenience	New	\$15.00	3/13/2002
Acquisition Unlimited Inc.	2108 Avondale Drive	Gas Station	Renewal	\$15.00	4/18/2002
Acquistion Unlimited	2108 Avondale Drive	Gas Station	Renewal	\$15.00	4/18/2002
Bowling Exxon Service	4530 Roxboro Rd	Gas Station	Renewal	\$15.00	4/5/2002
Buy and Go	4161 Chapel Hill Rd	Gas Station	Renewal	\$15.00	5/14/2002
Buy Quick Food Mart #5	103 W. Cornwallis Rd	Gas Station	Renewal	\$15.00	4/18/2002
Buy Quick Food Mart #6	1603 S. Alston Avenue	Gas Station	Renewal	\$15.00	4/18/2002

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Crown American Associates	4620 S. Miami Blvd	Gas Station	Renewal	\$15.00	4/19/2002
Crown Central Petroleum #34	2104 E. Chapel Hill Rd	Gas Station	Renewal	\$15.00	5/7/2002
Crown Central Petroleum #41	1007 N. Miami Blvd	Gas Station	Renewal	\$15.00	5/7/2002
Holmes Oil Company	4401 N. Roxboro Road	Gas Station	Renewal	\$15.00	4/29/2002
Holmes Oil Company	4706 Apex Highway	Gas Station	Renewal	\$15.00	4/29/2002
Holmes Oil Company	3875 Hillsborough Road	Gas Station	Renewal	\$15.00	4/29/2002
Holmes Oil Company	100 Latta Road	Gas Station	Renewal	\$15.00	4/29/2002
Huffman Oil Company	2601 Guess Road	Gas Station	New	\$15.00	4/5/2002
MM Fowler Inc.	3834 Guess Road	Gas Station	Renewal	\$15.00	3/19/2002
Parkview Mini Mart	433 Pilot Street	Gas Station	Renewal	\$15.00	5/10/2002
Phillips Petroleum Co #57101	109 W. NC Hwy 54	Gas Station	Renewal	\$15.00	4/15/2002
Phillips Petroleum Co #57222	3308 NC Hwy 55	Gas Station	Renewal	\$15.00	4/15/2002
Quality Oil Co. #43	2007 Presidential Drive	Gas Station	Renewal	\$15.00	4/15/2002
Quality Oil Co. LLC	5203 S. Miami Blvd	Gas Station	Renewal	\$15.00	4/15/2002
SJDC Enterprises	4335 N. Roxboro Rd	Gas Station	Renewal	\$15.00	7/15/2002
Tops Petroleum Corp #14	6007 Farrington Road	Gas Station	Renewal	\$15.00	4/5/2002
Tops Petroleum Corp #6	2110 Roxboro Road	Gas Station	Renewal	\$15.00	4/5/2002
Tops Petroleum Corp #7	921 N. Miami Blvd	Gas Station	Renewal	\$15.00	4/5/2002
Tops Petroleum Corp #8	1016 Main Street	Gas Station	Renewal	\$15.00	4/5/2002
Tristar Amoco Food Shop	2900 Chapel Hill Blvd	Gas Station	Renewal	\$15.00	5/1/2002
Wilco Hess, LLC	2502 Chapel Hill Blvd	Gas Station	Renewal	\$5.00	4/12/2002
Wilco Hess, LLC	803 Geer Street	Gas Station	Renewal	\$6.05	4/12/2002
Wilco Hess, LLC	1400 Miami Blvd	Gas Station	Renewal	\$5.50	4/12/2002
Country Store (The)	4630 Hillsborough Road	Grocery	Renewal	\$15.00	4/2/2002
Food Lion Inc #1099	2930 W. Main Street	Grocery	Renewal	\$35.37	4/22/2002
Food Lion Inc #1343	2000 Chapel Hill Rd	Grocery	Renewal	\$38.91	4/22/2002
Food Lion Inc #150	4215 University Drive	Grocery	Renewal	\$16.50	4/22/2002
Food Lion Inc #234	2400 Holloway Street	Grocery	Renewal	\$18.15	4/22/2002
Food Lion Inc #274	4711 Hope Valley Road	Grocery	Renewal	\$19.96	4/22/2002
Food Lion Inc #420	3808 Guess Road	Grocery	Renewal	\$21.96	4/22/2002
Food Lion Inc #57	5279 N. Roxboro Rd	Grocery	Renewal	\$15.00	4/22/2002
Food Lion Inc #729	3729 Wake Forest Rd	Grocery	Renewal	\$24.15	4/22/2002
Food Lion Inc #747	3500 N. Roxboro Rd	Grocery	Renewal	\$26.57	4/22/2002
Food Lion Inc #885	1908 Meredith Drive	Grocery	Renewal	\$29.23	4/22/2002
Food Lion Inc #939	4621 Hillsborough Road	Grocery	Renewal	\$32.16	4/22/2002
Harris Teeter #111	1720 Guess Rd	Grocery	Renewal	\$15.00	4/26/2002
Harris Teeter #114	3823 Guess Rd	Grocery	Renewal	\$15.00	4/26/2002
Harris Teeter #140	237 E. NC Hwy 54	Grocery	Renewal	\$15.00	4/26/2002
Harris Teeter #172	1817 Martin Luther King Jr. Pkwy	Grocery	Renewal	\$15.00	4/26/2002
King's Red & White	305 E. Club Blvd	Grocery	Renewal	\$15.00	4/24/2002
Kroger #314	3117 Shannon Road	Grocery	Renewal	\$15.00	4/4/2002
Kroger #331	202 W. NC Hwy 54	Grocery	Renewal	\$16.50	4/4/2002
Kroger #332	3457 Hillsborough Road	Grocery	Renewal	\$18.15	4/4/2002
Kroger #337	5116 N. Roxboro Road	Grocery	Renewal	\$19.96	4/4/2002
Kroger #366	1802 N. Pointe Drive	Grocery	Renewal	\$21.96	4/4/2002
Lowes Food #426	1233 University Drive	Grocery	Renewal	\$15.00	4/16/2002

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Lowes Food #443	207 Holloway Street	Grocery	Renewal	\$15.00	4/16/2002
M&F Grocery Inc.	1109 Main Street	Grocery	New	\$15.00	8/21/2002
Massey's Grocery	4430 Fayetteville Road	Grocery	Renewal	\$15.00	4/29/2002
Whole Foods Marketing	621 Broad Street	Grocery	Renewal	\$30.00	4/26/2002
Winn Dixie #915	2000 Avondale Drive	Grocery	Renewal	\$15.00	4/15/2002
Winn Dixie #925	401 E. Lakewood Ave	Grocery	Renewal	\$15.00	4/15/2002
Capstar Winston Company	1816 Hillandale Rd	Hotel	Renewal	\$30.00	4/11/2002
Doubletree Guest Suites	2515 Meridian Pkwy	Hotel	Renewal	\$30.00	4/16/2002
Durham Bev Mgmt	3800 Hillsborough Rd	Hotel	Renewal	\$30.00	1/23/2002
Durham Operating Partnership	2800 Campus Walk Ave	Hotel	Renewal	\$30.00	4/1/2002
Gunatit Investment	5219 Page Road	Hotel	Renewal	\$15.00	6/12/2002
Hampton Inn	1816 Hillandale Road	Hotel	Renewal	\$30.00	4/11/2002
Hawthorne Suites Mgmt Corp	300 Meredith Dr	Hotel	Renewal	\$30.00	4/2/2002
HH Properties Inc.	2306 Elba Street	Hotel	Renewal	\$15.00	4/15/2002
Residence Inn by Marriott	201 Residence Blvd	Hotel	New	\$30.00	5/13/2002
RTP Marriott Hotela	4700 Guardian Drive	Hotel	New	\$30.00	5/16/2002
Shaner Hotel Group	201 Foster Street	Hotel	Renewal	\$30.00	4/25/2002
Abyssinia Tej Production	2000 Chapel Hill Road	Other	New	\$15.00	7/23/2002
American Legion Post #7	406 E. Trinity Avenue	Other	Renewal	\$30.00	4/2/2002
AMF Bowling Ceters	4508 Chapel Hill Blvd	Other	Renewal	\$30.00	4/9/2002
Bull City Lodge #317	2311 S. Alston Ave	Other	Renewal	\$30.00	4/16/2002
Bull City Riders	1311 S. Roxboro St	Other	Renewal	\$15.00	4/16/2002
Carolina Theatre	309 W. Morgan St	Other	Renewal	\$30.00	5/2/2002
CEC Entertainment	3724 Mayfair Street	Other	Renewal	\$30.00	4/9/2002
Charlie's Pub & Grille	758 Ninth Street	Other	New	\$30.00	4/30/2002
Club Jaguars	600 Willard Street	Other	Renewal	\$30.00	4/9/2002
Coleman's	1006 E. Pettigrew Street	Other	Renewal	\$30.00	5/14/2002
Cost Plus Inc	1515 North Pointe Dr	Other	Renewal	\$15.00	4/19/2002
Costco Wholesale	1510 North Pointe Drive	Other	New	\$15.00	4/30/2002
Cozart's Fruit & Produce	2717 Cheek Road	Other	Renewal	\$15.00	4/2/2002
Croasdaile Country Club	3800 Farm Gate Avenue	Other	Renewal	\$30.00	4/2/3002
Double R Vending	3112 N. Roxboro Road	Other	Renewal	\$30.00	5/21/2002
Doyle's Sports Bar	3219 Chapel Hill Rd	Other	Renewal	\$30.00	4/24/2002
Duke University	Corner of Science Dr	Other	Renewal	\$30.00	4/15/2002
Durham Bev Management	3800 Hillsborough Road	Other	Renewal	\$30.00	1/23/2002
Durham Coca Cola Bottling	1716 Camden Avenue	Other	New	\$15.00	4/29/2002
Durham Elks Lodge #568	2670 Chapel Hill Blvd	Other	Renewal	\$30.00	4/29/2002
Esquire Lounge	704 Rigsbee Ave	Other	Renewal	\$30.00	4/26/2002
Extrusions Inc	105 NC 54	Other	Renewal	\$30.00	4/2/2002
FJ's Emporium	106 Morris Street	Other	Renewal	\$15.00	4/3/2002
Gibson's Bar and Grill	4015 University Drive	Other	Renewal	\$30.00	4/30/2002
Golf of North Carolina	4023 Old Wake Forest Hwy	Other	Renewal	\$30.00	4/18/2002
Golf Shop Inc	1600 Hillandale Road	Other	Renewal	\$15.00	4/2/2002
Harrison Conference	One Science Drive	Other	New	\$30.00	5/31/2002
HH Properites Inc	2306 Elba Street	Other	Renewal	\$15.00	4/12/2002
Hope Valley Country Club	3803 Dover Rd	Other	Renewal	\$30.00	4/5/2002

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Joe & Jo's Downtown Inc.	427 W. Main Street	Other	New	\$30.00	5/31/2002
Joe Don's Bull City	918 A Pearl Street	Other	Renewal	\$30.00	4/29/2002
Jokes Inc.	711 Rigsbee Street	Other	Renewal	\$30.00	7/3/2002
Lakeshore Golf Course	4621 Lumley Road	Other	Renewal	\$15.00	4/18/2002
Lambda Enterprises	315 W. Main St	Other	New	\$30.00	4/26/2002
Latin Entertainment	3169 Hillsborough Rd	Other	Renewal	\$30.00	5/6/2002
Level Edge Inc	108 Morris Street	Other	New	\$30.00	4/29/2002
Lucky's Bar & Grille	2627 Hillsborough Rd	Other	New	\$30.00	4/11/2002
Milestones Meeting & Banquet	1058 W. Club Blvd	Other	New	\$30.00	4/24/2002
Nordstrom Inc	6910 Fayetteville Rd	Other	New	\$30.00	4/9/2002
REA Recreation Inc	330 Hardee Street	Other	Renewal	\$15.00	4/4/2002
Sage and Swift Gourmet	3401 University Drive	Other	Renewal	\$30.00	5/3/2002
Sonia Lee Inc.	1725 Carpenter Fletcher	Other	New	\$30.00	4/30/2002
Swings N Things Inc	4343 Garrett Road	Other	Renewal	\$30.00	4/4/2002
Talk of the Town	108 E. Main Street	Other	Renewal	\$30.00	4/29/2002
The Corner Pocket	5234 N. Roxboro Road	Other	Renewal	\$45.00	3/10/2002
Treyburn Country	One Old Trail	Other	Renewal	\$30.00	4/9/2002
Trupub	802 W. Main Street	Other	Renewal	\$30.00	4/18/2002
Uncle Harry's General Store	1917 Yearby Avenue	Other	Renewal	\$30.00	5/1/2002
Upper Crust Entertainment	5504 Sky Lane Drive	Other	Renewal	\$30.00	4/2/2002
Veterans Social Club	220 Chandler Road	Other	New	\$15.00	5/24/2002
Volume Services America	409 Blackwell Street	Other	Renewal	\$30.00	4/16/2002
Washington Duke Inn	3001 Cameron Blvd	Other	Renewal	\$30.00	4/9/2002
Willow Haven Country	253 Country Club Drive	Other	Renewal	\$30.00	4/2/2002
Woodcroft Swin & Tennis	1203 Woodcroft Pkwy	Other	Renewal	\$30.00	4/12/2002
WTSU Inc.	1911 Guess Road	Other	New	\$15.00	6/21/2002
Yameen Inc.	LSRC B 110 Lasalle St.	Other	New	\$30.00	6/6/2002
Ye Old Tavern LLC	5504 Chapel Hill Blvd	Other	Renewal	\$30.00	4/9/2002
Zafa Temple Grenadier	2312 S. Alston Ave	Other	Renewal	\$30.00	4/5/2002
Trackside LLC	4310 S. Miami Blvd	Other	Renewal	\$30.00	4/29/2002
HWA of Durham Inc	4215 University Drive	other	Renewal	\$30.00	4/2/2002
Nodagi LLC	3648 Chapel Hill Blvd	other	Renewal	\$15.00	4/2/2002
Eckerd Corp	5319 Roxboro Rd	Pharmacy	Renewal	\$15.00	4/30/2002
Eckerd Corp #1015	1223 University Drive	Pharmacy	Renewal	\$15.00	4/30/2002
Eckerd Corp #1030	1505 Broad Street	Pharmacy	Renewal	\$15.00	4/30/2002
Eckerd Corp #1100	200 N. Lasalle St	Pharmacy	Renewal	\$15.00	4/30/2002
Eckerd Corp #2847	3725 Wake Forest Rd	Pharmacy	Renewal	\$15.00	4/30/2002
Eckerd Corp #3534	101 Woodcroft Pkwy	Pharmacy	Renewal	\$15.00	4/30/2002
Eckerd Corp #8551	4719 Apex Hwy	Pharmacy	Renewal	\$15.00	4/30/2002
Eckerd Corp #8554	1311 NC Hwy 54	Pharmacy	Renewal	\$15.00	4/30/2002
Eckerd Corp #8555	3798 Guess Rd	Pharmacy	Renewal	\$15.00	4/30/2002
Kerr Drug Inc #434	710 Fayetteville Street	Pharmacy	Renewal	\$15.00	4/2/2002
Revco Discount Drug #4444	3300 Guess Road	Pharmacy	Renewal	\$15.00	4/23/2002
Upchurch Drugs	5112 N. Roxboro Rd	Pharmacy	Renewal	\$15.00	5/9/2002
A&E Market Place LLC	2200 W. Main Street	Restaurant	New	\$30.00	4/2/2002
Agean Inc.	1821 Hillandale Rd	Restaurant	Renewal	\$30.00	4/30/2002



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Angleina Munoz Espinosa	111 S. Alston Avenue	Restaurant	Renewal	\$15.00	5/9/2002
Another Thyme Inc	109 N. Gregson Street	Restaurant	Renewal	\$15.00	4/3/2002
Apple Gold Inc	3400 Westgate Drive	Restaurant	Renewal	\$30.00	4/9/2002
Arias & Baldovinos	800 W. Main St	Restaurant	Renewal	\$30.00	4/30/2002
Arias & Baldovinos II	4125 Chapel Hill Blvd	Restaurant	Renewal	\$30.00	4/30/2002
Bamboo House	3600 N. Duke st	Restaurant	Renewal	\$30.00	4/5/2002
Bandido's Mexican Café	4711 Hope Valley Road	Restaurant	Renewal	\$30.00	4/18/2002
Bang's Inc.	2306 Elba Street	Restaurant	Renewal	\$30.00	4/30/2002
BB's and Company LLC	4810 Hope Valley Rd	Restaurant	New	\$30.00	8/6/2002
Bin Chen	1515 North Pointe Dr	Restaurant	New	\$15.00	5/29/2002
Blue Corn	716 Ninth Street	Restaurant	Renewal	\$30.00	
Blue Nile Ethiopian Cuisine	2000 Chapel Hill Rd	Restaurant	Renewal	\$30.00	5/13/2002
Bombay Grille	2223 E. Hwy 54	Restaurant	Renewal	\$30.00	4/11/2002
Bon Appetit Management	1300 Morreene Road	Restaurant	Renewal	\$30.00	4/29/2002
Bonner Enterprises	4711 Hope Valley	Restaurant	Renewal	\$30.00	4/9/2002
Brigs at the Park	4900 NC Hwy 55	Restaurant	Renewal	\$30.00	5/16/2002
Brinker North Carolina Inc	4600 Chapel Hill Blvd	Restaurant	Renewal	\$30.00	4/23/2002
Brinker North Carolina Inc	4020 Chapel Hill Blvd	Restaurant	Renewal	\$30.00	4/23/2002
Brinker North Carolina Inc	4600 Chapel Hill Blvd	Restaurant	Renewal	\$30.00	4/23/2002
Bull City Grill	2530 Erwin Road	Restaurant	Renewal	\$15.00	4/29/2002
Bull City Subs	914 W. Main Street	Restaurant	Renewal	\$15.00	4/2/2002
Café Momo	4711 Hope Valley Road	Restaurant	Renewal	\$30.00	4/30/2002
Calamari Inc	2200 W. Main Street	Restaurant	Renewal	\$30.00	4/9/2002
California Pizza	6910 Fayetteville Rd	Restaurant	New	\$30.00	12/20/2001
Carriqui Inc	2223 W. Hwy 54	Restaurant	Renewal	\$30.00	5/20/2002
Champps Americana	8030 Renaissance Pkwy #885	Restaurant	New	\$30.00	2/26/2002
Chef Works Inc.	5826 Fayetteville Road	Restaurant	Renewal	\$30.00	5/17/2002
China Express	2223 Hwy 54	Restaurant	Renewal	\$30.00	4/2/2002
China One	4325 Hwy 55	Restaurant	Renewal	\$30.00	5/14/2002
China Palace Express	5210 Garrett Rd	Restaurant	Renewal	\$30.00	4/16/2002
Chino Latino Restaurant	2900 Holloway Street	Restaurant	New	\$15.00	4/30/2002
Chopstix Restaurant	2000 Avondale Road	Restaurant	Renewal	\$30.00	4/3/2002
DCASS Associates LP	3019 Auto Drive	Restaurant	Renewal	\$30.00	4/25/2002
Dinnerzon LLC	4711 Hope Valley Rd	Restaurant	New	\$30.00	4/11/2002
Dominion Retail Enterprise	2500 Erwin Rd	Restaurant	Renewal	\$15.00	4/26/2002
Don Cecilios Mexican	5279 N. Roxboro Road	Restaurant	New	\$30.00	2/28/2002
Don Cecilios Mexican	5279 N. Roxboro Road	Restaurant	Renewal	\$30.00	4/4/2002
Doyle's Concessions LLC	3219 Chapel Hill Rd	Restaurant	Renewal	\$30.00	4/15/2002
DPR Inc	4707 Hillsborough Rd	Restaurant	Renewal	\$30.00	4/9/2002
El Corral Mexican	1821 Hillandale Rd	Restaurant	Renewal	\$30.00	4/26/2002
El Cuscatleco Inc.	4212 Garrett Road	Restaurant	Renewal	\$30.00	5/2/2002
El Dorado 6	4900 Hwy 55	Restaurant	Renewal	\$30.00	5/14/2002
El Rodeo Mexican	4215 University Drive	Restaurant	Renewal	\$30.00	4/29/2002
El Rodeo Mexican Restaurant #2	905 W. Main Street	Restaurant	Renewal	\$30.00	5/14/2002
El Toro Cantina	608 S. Hoover Road	Restaurant	Renewal	\$15.00	4/29/2002
Elmo's Diner	776 Ninth Street	Restaurant	Renewal	\$30.00	4/3/2002

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Erwin Square Market	2200 W. Main Street	Restaurant	Renewal	\$30.00	4/2/2002
Firebirds of Raleigh LLC	8030 Renaissance Pkwy #910	Restaurant	New	\$30.00	3/15/2002
Firebirds of Raleigh LLC	8030 Renaissance	Restaurant	Renewal	\$30.00	3/15/2002
Fortune Garden Thai	5410 NC Hwy 55 East	Restaurant	Renewal	\$30.00	4/12/2002
Foster's Market	2694 Chapel Hill Blvd	Restaurant	Renewal	\$30.00	4/16/2002
Fowler's Food Store	112 S. Duke Street	Restaurant	Renewal	\$30.00	6/13/2002
Fuddruckers	1809 Martin Luther King Pkwy	Restaurant	Renewal	\$30.00	4/16/2002
Garcia, Ocegueda, Aguayo	4125 Chapel Hill Blvd	Restaurant	New	\$15.00	1/28/2002
George's Inc	737 Ninth Street	Restaurant	Renewal	\$30.00	4/9/2002
GMRI Inc #210	4416 Chapel Hill Road	Restaurant	Renewal	\$30.00	4/16/2002
Grand China Buffet	3720 Mayfair Street	Restaurant	Renewal	\$30.00	4/16/2002
Hidra Inc.	905 W. Main St	Restaurant	Renewal	\$30.00	4/10/2002
Hong Kong Super	307 Foushee Street	Restaurant	Renewal	\$30.00	4/11/2002
Houlihan's Restaurant	4603 Chapel Hill Blvd	Restaurant	Renewal	\$30.00	4/12/2002
HWA of Durham Inc.	4215 University Drive	Restaurant	Renewal	\$30.00	4/2/2002
Italian Pizzeria	3500 Roxboro Road	Restaurant	Renewal	\$30.00	4/16/2002
Italian Pizzeria Restaurant	3823 Guess Road	Restaurant	Renewal	\$30.00	4/29/2002
Jamaica Jamaica Restaurant	4853 S. Hwy 55	Restaurant	Renewal	\$30.00	4/11/2002
Jerk Pit Café	317 W. Main Street	Restaurant	Renewal	\$30.00	4/29/2002
Jia Li inc.	3823 Guess Rd	Restaurant	New	\$30.00	4/30/2002
JMC of Durham Inc	1821 Hillandale Road	Restaurant	Renewal	\$30.00	4/4/2002
JR Mills Inc	4206 Apex Hwy	Restaurant	Renewal	\$30.00	4/2/2002
Kanki House of Steak	3504 Mt. Moriah Rd	Restaurant	New	\$30.00	4/15/2002
Kim Son Restaurant	2425 Guess Road	Restaurant	Renewal	\$30.00	4/3/2002
King's Sandwich Shop	701 Foster Street	Restaurant	Renewal	\$15.00	4/16/2002
Kurama Japanese	3644 Chapel Hill Blvd	Restaurant	Renewal	\$30.00	4/9/2002
Lark Restaurant	4625 Hillsborough Rd	Restaurant	New	\$30.00	4/5/2002
Las Palmas II	3814 N. Duke Street	Restaurant	Renewal	\$30.00	4/23/2002
Li Enterprises	4325 Hwy 55	Restaurant	New	\$30.00	5/14/2002
Lone Star Steak	3630 Chapel Hill Blvd	Restaurant	Renewal	\$30.00	4/15/2002
M&M Royal Corp	2105 E. Hwy 54	Restaurant	New	\$15.00	6/28/2002
Maggiano's Corner Bakery	8030 Renaissance Pkwy	Restaurant	New	\$30.00	4/16/2002
Magnanamous Inc.	810 W. Peabody St	Restaurant	Renewal	\$30.00	5/7/2002
Magnolia Restaurant	1002 Ninth Street	Restaurant	Renewal	\$30.00	4/12/2002
Mangum House Inc	2701 Chapel Hill Rd	Restaurant	Renewal	\$30.00	4/23/2002
Mayflower Seafood	3742 Chapel Hill Blvd	Restaurant	Renewal	\$30.00	5/10/2002
Mi Pequeno Honduras LLC	2201 N. Roxboro Rd	Restaurant	Renewal	\$15.00	4/16/2002
MJM Corp.	325 W. Main Street	Restaurant	New	\$30.00	4/19/2002
MJM Corp. of NC	325 W. Main Street	Restaurant	New	\$30.00	4/19/2002
Mother's Wild Bull's Pizza	609 Trent Drive	Restaurant	Renewal	\$15.00	4/12/2002
Nana's Restaurant	2514 University Drive	Restaurant	Renewal	\$30.00	5/2/2002
Nordstrom Café Bistro	6910 Fayetteville Road	Restaurant	New	\$30.00	3/5/2002
OB Triangle Inc.	4818 NC Hwy 55	Restaurant	Renewal	\$30.00	4/5/2002
Orient Garden	202 W. Hwy 54 Suite 401	Restaurant	Renewal	\$30.00	3/8/2002
Outback Steakhouse	3500 Mt. Moriah Road	Restaurant	Renewal	\$30.00	5/1/2002
Pan Pan Diner	1810 Hillandale Road	Restaurant	Renewal	\$30.00	4/18/2002

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Pao Lim Asian Bistro	2505 Chapel Hill Blvd	Restaurant	New	\$30.00	3/4/2002
Patino & Ciro Company Inc	748 Ninth Street	Restaurant	Renewal	\$15.00	4/25/2002
Peter Enterprises Inc.	3433 Hillsborough Rd	Restaurant	Renewal	\$30.00	4/23/2002
Pizza Village	2105 Avondale Avenue	Restaurant	Renewal	\$15.00	5/24/2002
Pulcinella Italian	4711 Hope Valley Road	Restaurant	Renewal	\$30.00	6/4/2002
Quality Dining	4010 Chapel Hill Blvd	Restaurant	Renewal	\$30.00	4/9/2002
R&W of Durham	2002 Hillsborough Rd	Restaurant	Renewal	\$30.00	5/31/2002
Rage Inc	2107 E. Hwy 54	Restaurant	Renewal	\$15.00	4/16/2002
Rage, Inc.	5232 Roxboro Road	Restaurant	Renewal	\$15.00	4/30/2002
Restaurant Mexicano La Illusion	2000 Chapel Hill Rd	Restaurant	Renewal	\$15.00	5/6/2002
Rick's Diner	4015 University Drive	Restaurant	Renewal	\$30.00	2/20/2002
Rick's Diner LLC	4015 University Drive	Restaurant	Renewal	\$30.00	2/18/2002
Roo Yee Corporation	4015 University Drive	Restaurant	Renewal	\$30.00	4/22/2002
Rub Tuesday Inc	1058 W. Club Blvd	Restaurant	Renewal	\$30.00	4/9/2002
Ruby Tuesday Inc	210 W. NC Hwy 54	Restaurant	Renewal	\$30.00	4/9/2002
Rudders Corp.	1515 North Pointe Dr	Restaurant	Renewal	\$30.00	5/7/2002
Sal's Pizza	1821 Hillandale Road	Restaurant	New	\$60.00	3/12/2002
Sal's Pizza	2223 Hwy 54	Restaurant	Renewal	\$30.00	5/22/2002
Satisfaction Restaurant	905 W. Main Street	Restaurant	Renewal	\$30.00	4/23/2002
Savory Fare	908 W. Main Street	Restaurant	Renewal	\$60.00	3/7/2002
Setco Inc.	1914 Sedwick Rd	Restaurant	Renewal	\$15.00	4/15/2002
Shiki Sushi Japanese	207 W. NC Hwy 54	Restaurant	New	\$30.00	4/24/2002
Shooters II	827 W. Morgan Street	Restaurant	Renewal	\$30.00	4/29/2002
Shor Szechuan	2105 E. HWY 54	Restaurant	Renewal	\$30.00	4/9/2002
Singh Enterprises	5410 Hwy 55 Suite 1	Restaurant	New	\$30.00	7/1/2002
Sitar India Palace	3117 D Shannon Rd	Restaurant	Renewal	\$30.00	4/26/2002
Spartacus Restaurant	4139 Chapel Hill Road	Restaurant	Renewal	\$30.00	6/4/2002
SRC Foods Inc.	4201 University Drive	Restaurant	Renewal	\$30.00	5/3/2002
Straight Line Pie	3333 Chapel Hill Blvd	Restaurant	Renewal	\$15.00	4/3/2002
Sunshine Restaurant Co.	4600 Chapel Hill Blvd	Restaurant	Renewal	\$30.00	5/15/2002
Suzuiki Enterprise Inc.	4900 Hwy 55 Suite 200	Restaurant	New	\$30.00	7/25/2002
Tarheel Tripps LLC	918 W. Club Blvd	Restaurant	Renewal	\$30.00	4/30/2002
Tat Sing Corp	202 W. Hwy 54	Restaurant	New	\$30.00	3/8/2002
Tienda El Compadre #2	2107 N. Roxboro Rd	Restaurant	Renewal	\$30.00	4/3/2002
Toledo's LLC	2223 NC Hwy 54	Restaurant	New	\$15.00	6/10/2202
Toreros Inc. II	3808 Guess Road	Restaurant	Renewal	\$30.00	4/1/2002
Tosca Ristorante	604 W Morgan Street	Restaurant	Renewal	\$30.00	
Triangle Baking Co.	5410 Hwy 55	Restaurant	New	\$30.00	5/15/2002
Trin B'ago LLC	826 Fayetteville St	Restaurant	New	\$15.00	5/29/2002
Unique Casual Restaurant	8303 Renaissance Pkwy	Restaurant	New	\$30.00	4/12/2002
Wan Fu Corp	2000 Avondale Drive	Restaurant	Renewal	\$30.00	4/3/2002
Yamato Japanese	1058 W. Club Blvd	Restaurant	Renewal	\$30.00	4/9/2002
Yamazushi	4711 Hope Valley	Restaurant	Renewal	\$30.00	4/9/2002

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**Totals**

**\$8,714.77**

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**SUBJECT: 2003 BENEFITS RECOMMENDATIONS – WELLPATH – CIGNA INSURANCE – DUKE OCCUPATIONAL MENTAL HEALTH SERVICES – DELTA DENTAL OF NC – COLONIAL LIFE INSURANCE COMPANY – METLIFE – NORTH CAROLINA MUTUAL INSURANCE COMPANY – TRANSAMERICA INSURANCE COMPANY – DOMESTIC PARTNERS**

Council Member Best requested that Item i) -- Domestic Partners-- be severed.

- a) **MOTION** by Council Member Best seconded by Council Member Stith to authorize the City Manager to execute a contract with WellPath, a Coventry Health Care Company to provide a fully insured point of service health care plan; and
- b) To authorize the City Manager to execute a contract with CIGNA Insurance Company to provide a fully insured point of service health care plan; and
- c) To authorize the City Manager to execute a contract with Duke Occupational Mental Health Services to provide administrative services for the Employee Assistance Program, Mental Health and Substance Abuse Care Plan; and
- d) To authorize the City Manager to execute a contract with Delta Dental of NC to provide administrative services for the City's self-funded dental plan; and
- e) To authorize the City Manager to execute a contract with Colonial Life Insurance Company to provide the administration of the flexible spending accounts and to provide selected employee paid insurance plans; and
- f) To authorize the City Manager to execute a contract with MetLife, to provide a City paid term life insurance plan and voluntary employee paid property and casualty insurance plans; and
- g) To authorize the City Manager to execute a contract with North Carolina Mutual Insurance Company to provide an employee paid voluntary group universal life insurance plan; and
- h) To authorize the City Manager to execute a contract with TransAmerica Insurance Company to provide an employee paid long term care insurance plan was approved at 10:53 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

The following individuals spoke in support of health and dental coverage for domestic partners and their dependents: Dr. Jeffrey Elliott, Joy Wyrick, Dabney Hopkins, Cheryl Welsh, James Emery, Daya Brekinridge, Nina Furry, Perry Pike, Stacey Poston, John Schelp, Cynthia Brown, Lorisa Seibel and Daniel Ellison.

The following individuals spoke in opposition to providing health and dental coverage for domestic partners and their dependents: Pastor Donald Q. Fozard, Sr., Pastor Clay

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Stevens, Cassandra Robinson, Joyce Davis, Victoria Peterson, Marshall Williams and Wic Ware.

- i) **MOTION** by Council Member Clement seconded by Council Member Cole-McFadden to approve the offering of health and dental coverage to the domestic partners and the dependents of domestic partners of City of Durham employees was approved at 11:43 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Clement and Cole-McFadden. Noes: Council Members Best, Edwards and Stith. Absent: None.

**SUBJECT: AMENDMENTS TO THE COMPENSATION AND CLASSIFICATION PLAN**

To amend the City of Durham's Compensation and Classification Plan, adopted July 1, 2002, as indicated in the item.

Earlier in the meeting, City Manager Conner requested that this item be referred to the October 21, 2002 City Council Meeting.

**SUBJECT: SELF HELP COMMUNITY DEVELOPMENT CORPORATION - PHASE IV WALLTOWN HOMEOWNERSHIP - \$250,000 - 1996 HOUSING BOND FUNDS**

Anthony Scott, representing Self Help, commented on the issue of community input noting he received responses in support of the proposal.

**MOTION** by Council Member Clement seconded by Council Member Cole-McFadden to authorize the City Manager to appropriate \$250,000 of Housing Bond funds for this project subject to the terms and conditions in the Reservation of Funds Agreement; and

To authorize the City Manager to execute a Reservation of Funds Agreement with Self Help Community Development Corporation, funded from 1996 Housing Bond funds, by which the City agrees to make available to Self Help CDC's home buyers up to \$250,000 for permanent second mortgage financing through the City's First Time Homebuyer Program; and

To authorize the City Manager to make minor changes to the Agreement as are consistent with City policy and the Housing Bond program guidelines; and

To find and determine that mortgage loans for this homeownership project are not otherwise available, wholly or in part, from public or private lenders, upon equivalent or reasonably equivalent terms and conditions was approved at 11:45 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

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**SUBJECT: NORTH CAROLINA CENTRAL UNIVERSITY (NCCU)  
EXPEDITED REQUEST – REZONING CASE P02-37A**

To consider the applicant's request for an expedited hearing against the Ordinance criteria.

To expedite the hearing as requested, Council would consider the request against the ordinance findings; move, if appropriate, the finding of one or more specified criteria from 15.2.4; and move to set the hearing for the November 4<sup>th</sup> Council meeting.

Council Member Stith disclosed that he will be abstaining from voting on this matter due to a conflict of interest.

Frank Duke, City/County Planning Director, briefed Council on the staff report.

Mayor Bell asked the administration if they have seen the material provided by NCCU.

Frank Duke, City/County Planning Director noted he received a letter from Chancellor Ammons and they meet one of the criteria.

Attorney Kenneth Spaulding, representing the applicant, spoke in support of expedited hearing process for NCCU noting the applicant would like to move forward with the residential facility due to need for student residential space by August 2003. He urged Council to support request.

Chancellor Ammons, of NCCU, gave a presentation on this item addressing the factors relative to the request for expedited review of the zoning application currently before the Zoning Committee. He urged Council to approve this item.

Carrie Mowny, of the Historic Preservation Society Board, provided Council with a handout expressing concern about the proposed expansion in the area in which the zoning is to be fast tracked. She noted that they look forward to working together with NCCU to save some of these houses [R. N. Harris] and urged Council to consider the history of the individuals who lived in this area.

Rev. Herbert H. Eaton, of 126 Masondale Avenue, urged Council to deny the request for expedited hearing for NCCU. Also, he expressed concern about the size of building and commercial zoning.

Burmadeane George, of 2108 Duncan Street, urged City Council to not expedite this request. She noted that she would like to be partners with NCCU in their growth, does not want to stop them but would like to see a comprehensive plan on how the neighborhood would be impacted.

Walter Holmes, of 124 Masondale Avenue, spoke in opposition to the expedited hearing urging Council to vote no.

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Perry Pike, representing Historic Preservation Society, expressed a concern about this request.

Denise Hester, of 3526 Abercromby Drive, asked Council not to fast track this rezoning request. She expressed the following concerns: neighborhood compatibility, development plan not complete, traffic impact analysis and more restrictive use.

Frank Duke, City/County Planning Director, noted a development plan has been submitted that doesn't provide a lot of detail but it does meet the minimum requirements for a development plan with few committed elements.

Mayor Bell asked the Planning Director which criteria would NCCU be satisfying.

Based on the letter presented by Chancellor Ammons, Frank Duke, City/County Planning Director, noted the NCCU would meet criteria e. of Sec. 15.2.4 and made comments about the special circumstances outlined in the letter.

Discussion was held by Council on renovations, development plan and notification process.

George Stanziale, of Haden Stanziale, updated Council on the letter sent to residents outlining where they are concerning this expedited process.

Attorney Spaulding noted that Chancellor Ammons will be scheduling a meeting with the residents.

Council Member Cole-McFadden raised a concern about the residents not having any details.

Attorney Spaulding noted they plan to set up a meeting expeditiously with the residents as it relates to site/development plans, where they are and what they are trying to do.

Council held discussion on the R. H. Harris House and bond funds.

Council Member Clement recognized NCCU Board Chair Ed Stewart.

For clarification, City Attorney Blinder noted the action taken by Council is to accept the finding noted by the Planning Director.

**MOTION** by Mayor Pro Tempore Cheek seconded by Council Member Clement to grant NCCU's expedited hearing request based on criteria/finding met under Section 15.2.4 of the Zoning Ordinance [there are special circumstances that will have a substantial negative impact on the development which could not have reasonably been anticipated and which make expedited consideration necessary]; and to set the hearing for the November 4, 2002 City Council Meeting was approved at 12:33 a.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden and Edwards. Noes: None. Abstention: Council Member Stith. Absent: None.

**October 7, 2002**

**[GENERAL BUSINESS AGENDA - PUBLIC HEARINGS]**

**SUBJECT: VOLUNTARY ANNEXATION PETITIONS – SUBMITTED PRIOR TO JULY 1, 2002 - FOUSHEE PROPERTY (RIVERMIST) AND TRIANGLE PRESBYTERIAN CHURCH OF DURHAM – PARKWOOD VOLUNTEER FIRE DEPARTMENT**

As this was the time and place set for the public hearing, anyone interested was given the opportunity to be heard. There being no objections and/or allegations, the public hearing was declared closed.

**MOTION** by Council Member Clement seconded by Council Member Edwards to receive citizen comments for Foushee Property (Rivermist) and Triangle Presbyterian Church of Durham; and

To adopt ordinances annexing Foushee Property (Rivermist) and Triangle Presbyterian Church of Durham in accordance with N.C. General Statutes 160A-58 and 160A-31 effective December 31, 2002; and

To authorize the City Manager to modify existing half-base contracts with volunteer fire departments (VFDs) to provide supplemental fire protection over a five-year period with the same terms and conditions as services are provided to other areas in such contracts for the following annexation areas: Parkwood VFD was approved at 12:34 a.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

**Ordinance #12673 -12674**

**SUBJECT: STREET CLOSING - RONEY STREET (SC01-3) (CONTINUED FROM 9-16-02 COUNCIL MEETING)**

Frank Duke, City/County Planning Director, informed Council that there is a revised order on this matter concerning the easement.

As this was the time and place set for the public hearing, anyone interested was given the opportunity to be heard. There being no objections and/or allegations, the public hearing was declared closed.

**MOTION** by Council Member Stith seconded by Council Member Edwards to receive public comment on closing a 309 linear foot section of Roney Street between Hunt Street and Corporation Street; and

To adopt an order “permanently closing 309 ± linear feet (.35 acre) of Roney Street was approved at 12:35 a.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore



**October 7, 2002**

Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

**Ordinance #12675**

**SUBJECT: CONVEYANCE OF PROPOSED EASEMENT TO DUKE POWER COMPANY WITHIN CLOSED PORTION OF RONEY STREET – STREET CLOSING CASE #SC01-3, TAX MAPS 60-61 DURHAM CENTRAL PARK**

To authorize the conveyance of a terminable, non-exclusive deed of easement to Duke Power Company within that closed portion of Roney Street for a nominal consideration of \$10.00, and

To authorize the City Manager to make changes to the deed of easement so long as the changes are consistent with the agenda memorandum that accompanies this item.

Mayor Bell opened the public hearing.

**MOTION** by Council Member Clement seconded by Council Member Stith to continue the public hearing to the October 21, 2002 City Council Meeting was approved at 12:36 a.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

**[ITEM PULLED FROM CONSENT AGENDA]**

**SUBJECT: BUS PURCHASE - GILLIG CORPORATION**

City Manager Conner noted if Council does not approve this item the order of buses would be delayed.

**MOTION** by Council Member Clement seconded by Mayor Pro Tempore Cheek to adopt Alternative A and to authorize the City Manager to accept and execute the grant agreements solicited for the purchase of 32 replacement buses; and

To authorize the City Manager to issue a purchase order to the Gillig Corporation in an amount not to exceed \$9,432,637 for the purchase of 31, 40' low floor heavy duty buses and related training in accordance with the terms, conditions and specifications contained in the solicitation and approved equal documents, and in accordance with the bid submission of the Gillig Corporation, all as more specifically described within Alternative A.; and

To adopt "An Ordinance Amending the 2002-2003 City of Durham Budget Ordinance, the Same Being Ordinance 12575"; and

**October 7, 2002**

To adopt the grant project ordinance in the total amount of \$9,600,000 contingent upon award, acceptance and execution of the grant agreements solicited for the purchase of 32 replacement buses was approved at 12:37 a.m. by the following vote: Ayes: Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: Mayor Bell. Absent: None.

**Ordinance #12671 - 12672**

**SUBJECT: CLOSED SESSION**

**MOTION** by Mayor Pro Tempore Cheek seconded by Council Member Stith to go into a closed session to discuss an attorney-client consultation pursuant to G.S. 143-318.11(a)(3) and an attorney-client consultation in the matter of a foreclosure of a deed of trust executed by Southeast Durham Development Corporation, Inc. to the City of Durham pursuant to G.S. 143-318.11(a)(3) was approved at 12:38 a.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

**[OPEN SESSION]**

**SUBJECT: NORTHEAST CENTRAL DURHAM (NECD) REINVESTMENT, INC. – SOUTHERN COACH COMPANY**

**MOTION** by Council Member Best seconded by Council Member Clement to refer the matter of the invoices for Southern Coach Company to the District Attorney for investigation was approved at 1:03 a.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

**SUBJECT: ROLLING HILLS PROPERTY (SOUTHEAST DURHAM DEVELOPMENT CORPORATION, INC.)**

**MOTION** by Council Member Clement seconded by Council Member Stith to authorize the City Manager to take action pertaining to back taxes for Rolling Hills (payment of City/County taxes); and

To include court costs and attorney fees and to bring forth a plan regarding Rolling Hills for the City's consideration was approved at 1:04 a.m. by the following vote: Ayes: Mayor Bell and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: Mayor Pro Tempore Cheek. Absent: None.

**October 7, 2002**

There being no further business to come before the City Council, the meeting was adjourned at 1:04 a.m.

Linda E. Bratcher  
Deputy City Clerk

D. Ann Gray, CMC  
City Clerk